

May 10, 2016

To:

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Request for Waiver

CC Docket No. 02-6

Request waiver of the Rules on Deadlines to File for Invoice Extension

Submitted by:

Consultant for the Applicant	David Gornstein
Beneficiary:	Scott County R-V School District
Billed Entity Number:	137051
Funding Year:	2014
Form 471 Application Number:	970891
Funding Request Number:	2643139, 2643145

Dear Mrs. Dortch:

The Scott County R-V School District (District) is respectfully appealing USAC's Denial of Invoice

Deadline Extension dated April 29, 2016, which Denied our request having the following reason:

- FCC rules require that Invoice Deadline Extension requests be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension. The invoice receipt deadline is 120 days after the end of the service delivery date or 120 days after the date of the Form 486 Notification Letter whichever is later. USAC denied your request for Invoice Deadline Extension because the request was not filed in a timely manner. Since USAC's decision was consistent with Invoice Deadline Extension guidelines, your appeal is denied.

We respectfully request the Universal Services Administrative Company (USAC), Schools and Libraries Division (SLD) to waive the rules governing the deadline for the Invoice Deadline Extension

Request for the following extraordinary reason(s):

1. Applicant is requesting a waiver of the filing deadline of 10/28/2015. It was recently brought to the attention of the applicant that their former e-rate consultant, The TriStar Group, Ashley Jordan, CRN 16043684 was indicted by the Crockett County Grand Jury, on July 20 of this year, on charges of theft over \$10,000, tampering with evidence, and official misconduct, while as Technology Director at Crockett County Schools.

2. As a result the applicant has been trying to determine what Mr. Jordan did or did not do in regard to their FY2014 and FY2015 applications. The district attempted to contact Mr. Jordan, but there has been no response, since his indictment in July 2015. Once the District learned of the indictment, it took steps to try and secure whatever funding had been approved but not reimbursed. During our research we found that an IDER was filed for FRN 2643168, however, USAC records show that was none filed for the above FRNs; see Case #28-875194 of January 20, 2016. Upon discovery, we submitted a request on January 20, 2016 for an Invoice Deadline Extension which was dismissed on February 29, 2016, subsequently appealed and denied April 29, 2016.

Given the extraordinary circumstances, we note here that the Waiver of the Rules would serve the public interest by allowing the District to recover its eligible telecommunications services, without adversely affecting current or future E-rate applicants.

The District complied with all E-Rate program rules and regulations for the funding year, received commitments and corresponding services.

Granting the deadline extension request(s) does not promote waste, fraud or abuse.

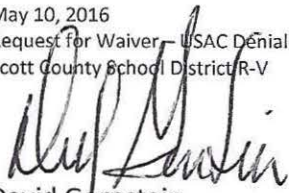
Payments for the services rendered have been made to the service provider and we are now looking to request reimbursement for those approved services. The District respectfully requests approval of this waiver, which would allow the District to recover funds, committed and has already paid for.

Respectfully submitted for the applicant,

May 10, 2016

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Scott County School District R-V

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David Gornstein
Consultant

Attachments:

05.10.16 - FCC 02-6 IDE Waiver Request 2014 – Scott
Executed LOA - Scott MO BEN 137051
07.27.15 - Former Crockett County school employee indicted
09.02.15 - TN Controller Investigation Summary Report RE A. Jordan
09.02.15 - TN Crockett Schools Final Investigative Report RE A. Jordan
01.20.16 – IDER Not Filed Case #22-874277
02.29.16 - ADL 2014 IDER Dismissed - Scott
04.01.16 - Appeal - IDER Dismissed - Scott
04.29.16 - ADL 2014 IDER Denied - Scott